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Date: October 15, 2004

Number of Pages (including this cover):

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Applicant(s):	Daniel L. Schwartz	Atty. Docket No.:	P-5204
Serial No.:	09/921,542	Group Art Unit:	1723
Filed:	August 3, 2001	Examiner:	David L. Sorkin
For:	An Improved System for Stirring Suspended Solids in a Liquid Media		

The following documents are attached to this facsimile:

1. Request for Continued Examination (RCE) & 1 month extension of time,
2. Fee Transmittal; and
3. Preliminary Amendment

Confidential

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OCT 15 2004

PTO/SB/17 (10-03)

Approved for use through 07/31/2006. OMB 0651-0032

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.**FEE TRANSMITTAL**
for FY 2005

Effective 10/01/2004, Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) \$900.00

Complete if Known

Application Number	09/921,542
Filing Date	08/03/2001
First Named Inventor	Daniel L. Schwarz
Examiner Name	David L.J. Sorokin
Art Unit	1723
Attorney Docket No.	P-5204

METHOD OF PAYMENT (check all that apply)		FEE CALCULATION (continued)	
<input type="checkbox"/> Check	<input type="checkbox"/> Credit card		
<input type="checkbox"/> Money Order	<input type="checkbox"/> Other		
<input checked="" type="checkbox"/> Deposit Account:			
Deposit Account Number	02-1666		
Deposit Account Name			
The Director is authorized to: (check all that apply)			
<input checked="" type="checkbox"/> Charge fee(s) indicated below	<input checked="" type="checkbox"/> Credit any overpayments		
<input type="checkbox"/> Charge any additional fee(s) or any underpayment of fee(s)			
<input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.			
FEE CALCULATION		3. ADDITIONAL FEES	
1. BASIC FILING FEE		Large Entity Small Entity	
Fee Code (\$)	Fee Code (\$)	Fee Code (\$)	Fee Description
1001 790	2001 395	1051 130	65 Surcharge - late filing fee or oath
1002 350	2002 175	1052 50	25 Surcharge - late provisional filing fee or cover sheet
1003 550	2003 275	1053 130	130 Non - English specification
1004 790	2004 395	1812 2,520	2,520 For filing a request for ex parte reexamination
1005 160	2005 80	1804 920*	920* Requesting publication of SIR prior to Examiner action
SUBTOTAL (1) (\$)		1805 1,840*	1,840* Requesting publication of SIR after Examiner action
		1251 110	55 Extension for reply within first month
		1252 430	215 Extension for reply within second month
		1253 880	2253 490 Extension for reply within third month
		1254 1,530	2254 765 Extension for reply within fourth month
		1255 2,080	2255 1,040 Extension for reply within fifth month
		1401 340	2401 170 Notice of Appeal
		1402 340	2402 170 Filing a brief in support of an appeal
		1403 300	2403 150 Request for oral hearing
		1451 1,510	1451 1,510 Petition to Institute a public use proceeding
		1452 110	2452 55 Petition to revive - unavoidable
		1453 1,370	2453 685 Petition to revive - unintentional
		1501 1,370	2501 685 Utility issue fee (or reissue)
		1502 490	2502 245 Design issue fee
		1503 880	2503 330 Plant issue fee
		1460 130	1460 130 Petitions to the Commissioner
		1807 50	1807 50 Processing fee under 37 CFR § 1.17(g)
		1808 180	1808 180 Submission of Information Disclosure Statement
		8021 40	8021 40 Recording each patent assignment per property (times number of properties)
		1809 790	2809 395 Filing a submission after final rejection (37 CFR § 1.129(a))
		1810 790	2810 395 For each additional invention to be examined (37 CFR § 1.129(b))
		1801 790	2801 395 Request for Continued Examination (RCE)
		1802 900	1802 900 Request for expedited examination of a design application
		Other fee (specify) _____	
2. EXTRA CLAIM FEES FOR UTILITY AND		SUBTOTAL (3) (\$) \$900.00	
Extra Claims			
Total Claims	-20** -	0	X = 0.00
Independent Claims	-3** -	0	X = 0.00
Multiple Dependent			
Large Entity Small Entity			
Fee Code (\$)	Fee Code (\$)	Fee Code (\$)	Fee Description
1202 18	2202 9		Claims in excess of 20
1201 88	2201 44		Independent claims in excess of 3
1203 300	2203 150		Multiple dependent claim, if not paid
1204 88	2204 44		** Reissue independent claims over original patent
1205 18	2205 9		** Reissue claims in excess of 20 and over original patent
SUBTOTAL (2) (\$)		\$0.00	

**or number previously paid, if greater. For Reissues, see above

*Reduced by Basic Filing Fee Paid

SUBMITTED BY

Name (Print/Type)	Mark Lindsay	Registration No. (Attorney/Agent)	51,515	Telephone	201-847-6262
Signature		Date	10/15/2004		

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This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/30 (08-03)

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U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Address to:
Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Application Number	09/921,542
Filing Date	08/03/2001
First Named Inventor	Daniel L. Schwartz
Art Unit	1723
Examiner Name	David L. Sorkin
Attorney Docket Number	P-5204

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

- Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such
 - ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
 - ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
 - ☐ Other _____
 - ☒ Enclosed
 - ☒ Amendment/Reply
 - ☐ Affidavit(s)/Declaration(s)
 - ☐ Information Disclosure Statement (IDS)
 - ☐ Other _____
- Miscellaneous**
 - ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(f) required)
 - ☐ Other _____
- Fees** The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.
 - ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 02-1666
 - ☒ RCE fee required under 37 CFR 1.17(e)
 - ☒ Extension of time fee (37 CFR 1.136 and 1.17)
 - ☐ Other _____
 - ☐ Check in the amount of \$ _____ enclosed
 - ☐ Payment by credit card (Form PTO-2038 enclosed)

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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Mark Lindsey	Registration No. (Attorney/Agent)	52,515
Signature	<i>M Lindsey</i>	Date	10/15/2004

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Name (Print/Type)	Nicola M. McRae	Date	10/15/2004
Signature	<i>Nicola McRae</i>		

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing the burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Instruction Sheet for RCEs

(not to be submitted to the USPTO)

NOTES:

An RCE is not a new application, and filing an RCE will not result in an application being accorded a new filing date.

Filing Qualifications:

The application must be a utility or plant application filed on or after June 8, 1995. The application cannot be a provisional application, a utility or plant application filed before June 8, 1995, a design application, or a patent under reexamination. See 37 CFR 1.114(e).

Filing Requirements:

Prosecution in the application must be closed. Prosecution is closed if the application is under appeal, or the last Office action is a final action, a notice of allowance, or an action that otherwise closes prosecution in the application (e.g., an Office action under *Ex parte Quayle*). See 37 CFR 1.114(b).

A submission and a fee are required at the time the RCE is filed. If reply to an Office action under 35 U.S.C. 132 is outstanding (e.g., the application is under final rejection), the submission must meet the reply requirements of 37 CFR 1.111. If there is no outstanding Office action, the submission can be an information disclosure statement, an amendment, new arguments, or new evidence. See 37 CFR 1.114(c). The submission may be a previously filed amendment (e.g., an amendment after final rejection).

WARNINGS:

Request for Suspension of Action:

All RCE filing requirements must be met before suspension of action is granted. A request for a suspension of action under 37 CFR 1.103(c) does not satisfy the submission requirement and does not permit the filing of the required submission to be suspended.

Improper RCE will NOT toll Any Time Period:

Before Appeal - If the RCE is improper (e.g., prosecution in the application is not closed or the submission or fee has not been filed) and the application is not under appeal, the time period set forth in the last Office action will continue to run and the application will be abandoned after the statutory time period has expired if a reply to the Office action is not timely filed. No additional time will be given to correct the improper RCE.

Under Appeal - If the RCE is improper (e.g., the submission or the fee has not been filed) and the application is under appeal, the improper RCE is effective to withdraw the appeal. Withdrawal of the appeal results in the allowance or abandonment of the application depending on the status of the claims. If there are no allowed claims, the application is abandoned. If there is at least one allowed claim, the application will be passed to issue on the allowed claim(s). See MPEP 1215.04.